

# EXHIBIT G

Declaration of Warden  
Jerry Howell, SDCC

# EXHIBIT G

AARON D. FORD  
Nevada Attorney General  
D. RANDALL GILMER (Bar No. 14001)  
Chief Deputy Attorney General  
State of Nevada  
Office of the Attorney General  
555 East Washington Avenue, Suite 3900  
Las Vegas, NV 89101  
(702) 486-3427 (phone)  
(702) 486-3773 (fax)  
drgilmer@ag.nv.gov  
*Specially Appearing as*  
*Attorneys for Warden Howell*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

MARCELL WILLIAMS,

Plaintiff,

vs.

WARDEN OF SOUTHERN DESERT  
CORRECTIONAL CENTER, et al.,

Defendants.

CASE NO. 2:20-cv-00639-RFB-BNW

**DECLARATION OF SOUTHERN  
DESERT CORRECTIONAL  
CENTER WARDEN,  
JERRY HOWELL**

I, Jerry Howell, hereby declare based on personal knowledge and/or information and belief, that the following assertions are true.

1. I am currently employed as the Nevada Department of Corrections (NDOC), where I am assigned as Warden of the Southern Desert Correctional Center (SDCC). As warden, I am responsible for overseeing all aspects of SDCC. These duties include taking steps to ensure that all NDOC policies, practices and procedures are implemented and followed by all SDCC staff, and to the extent applicable, outside vendors as well as inmates housed at SDCC.

2. As warden I am responsible for the health and welfare of all individuals who enter SDCC, whether they do so for work reasons or as an inmate who has been assigned to SDCC. The best way to maintain health and welfare is to prevent as much as possible infectious diseases from being introduced to SDCC.

3. The COVID-19 pandemic has made this responsibility even more pronounced. As warden, I have instructed my staff to comply with all protective protocols recommended

1 for enactment by the Nevada Department of Corrections Medical Director, Dr. Michael  
2 Minev. Director Daniels and Deputy Director Wickham hold me accountable to ensure that  
3 these safety standards are not only implemented, but followed.

4 4. In that regard, on March 19, 2020 I authored a memorandum regarding  
5 COVID-19 that I instructed be posted in all housing units and other conspicuous places  
6 throughout SDCC. In addition to posting the March 19, 2020 memorandum, I directed the  
7 information to be shown on the inmate closed circuit television channel on a constant loop.

8 5. A copy of the March 19, 2020 memorandum has been provided to Chief  
9 Deputy D. Randall Gilmer to include as an exhibit to this filing. It is my understanding  
10 from speaking to Mr. Gilmer that the memorandum will be made part of the filing as  
11 **Exhibit K**. I have reviewed the memorandum and attest that it is a true and accurate  
12 copy of the memorandum I directed be posted. I have also provided photographs to Mr.  
13 Gilmer. These photographs were taken of the posted March 19, 2020 memorandum as it is  
14 posted in Mr. Williams housing unit. It is my understanding that these photographs, which  
15 I provided to counsel, will be attached as **Exhibit L** to the filing that this Declaration will  
16 also be part of.

17 6. Previous to COVID 19, we issue cleaning supplies weekly to inmates upon  
18 request. Since the outbreak, we have increased cleaning supplies in the units and have  
19 authorized staff to issue upon request as needed. The Unit Officers are aware that should  
20 they run low on cleaning supplies to simply ask our cleaning/chemical supply Officer for  
21 more. We have also doubled the amount of hand and body soap they were previously  
22 getting, and have authorized staff to issue upon request should the inmates run out. In  
23 order to ensure this directive, I directed Lt. Dean Willett to email all staff on April 3, 2020.  
24 The email, which I have provided to counsel and have been informed will be attached as  
25 **Exhibit O** to the filing with this Court, explicitly directed staff that "when issuing weekly  
26 supplies, [they are] to double up the amount of soap given to inmates," and that should an  
27 inmate ask for additional soap, it is to be "give[n] to them."  
28

1           7. I have required mandatory compliance with Dr. Minev's sanitization  
2 suggestions, which I understand come from guidance from the Center for Disease Control.  
3 In this regard, I am requiring all housing units and entry doors to be cleaned at a minimum  
4 once every two hours. The dining rooms and gym are cleaned after every use. And finally,  
5 the maintenance areas are mandated to be cleaned at least once every hour. These  
6 cleaning time requirements are merely minimums which are often exceeded.

7           8. The directives referenced in ¶¶ 6–7 above are over and above the general  
8 requirements of Operational Procedure (OP) 490, effective July 3, 2015. I provided a true  
9 and accurate copy of OP 490 to counsel, which I understand will provide it to the Court as  
10 part of this filing as **Exhibit P**. OP 490 makes clear that “[i]t is the responsibility of all  
11 staff directly involved in supervising a shop, housing unit or any other area . . . to maintain  
12 constant surveillance of that area to ensure acceptable sanitization practices are followed  
13 on a daily basis.” OP 490 at 2, § 490.02(1). Staff are also empowered to provide “appropriate  
14 protective clothing . . . should reasonable precautions dictate the use of such clothing.” *Id.*  
15 at 2, § 490.02(2). And finally, inmates are expected and required to assist in these cleaning  
16 efforts by “maintain[ing] sanitary conditions, personal hygiene, and cleanliness,” which  
17 includes using the “cleaning equipment or material issued to them.” *Id.* at 2, ¶ 490.03(1).  
18 Inmates are also reminded of the requirement to “[r]eport all illness or disease” that may  
19 “require treatment.” *Id.*


20           9. I again reiterated that the mandatory time frames for ensuring sanitization  
21 referenced ¶ 7, as well as the supplies provided to inmates referenced in ¶¶ 6, 8 are  
22 minimum requirement, and that these requirements are often exceeded to ensure a  
23 sanitized and safe environment are maintained throughout SDCC.

24           10. I can also attest to the precautions taken regarding all inmates that are  
25 transferred to SDCC from other institutions. These precautions are also followed when an  
26 inmate who is housed at SDCC has to be transported outside of SDCC for an essential  
27 purpose that cannot be rescheduled. In this regard, I affirm that all inmates arriving at  
28 SDCC are placed in housing Unit 7, which has been designated as SDCC's isolation or

1 quarantine unit. The general rule is that these inmates remain in Unit 7 for at least  
2 fourteen (14) days. In the event that any of these inmates begin to exhibit COVID-19  
3 related symptoms, they shall be moved from Unit 7 to an isolated area within the medical  
4 building for observation, and shall remain isolated from the general prison population,  
5 employees and other persons as is reasonably possible, with medical treatment provided  
6 under the direction and guidance of the medial department. COVID-19 test kits are  
7 available at SDCC for this use if medical personnel believe that a test to rule on COVID-  
8 19 is prudent.

9 11. I declare under penalty of perjury pursuant to 28 U.S.C. section 1746 that the  
10 foregoing is true and correct.

11 EXECUTED this 8 day of April, 2020

12  
13   
14 JERRY HOWELL  
15 Warden of SDCC,  
16 Nevada Department of Corrections  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28